REMARKS

Claims 1 - 4 are currently pending in the application. Claims 1 - 4 are presented for reconsideration and reexamination in view of the following remarks.

In the outstanding Office Action, claims 1, 2, and 4 were further rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Publication No. JP 2002-030845 to Okada or U.S. Patent Publication No. 6,034,617 to Luebke et al. in view of U.S. Patent Nos. 6,703,919 to Baset, 6,724,322 to Tang et al., and 6,290,269 to Bodley-Scott et al.; and claim 3 was further rejected under 35 U.S.C. § 103(a) as being unpatentable over Okada or Luebke et al. in view of Baset, Tang et al., and Bodley-Scott et al., as applied to claim 1, and further in view of U.S. Patent Publication No. 2003/0095416 to Huizenga and French Publication No. FR 27224613 to Cadman.

By this Amendment, claim 1 is amended and the prior art rejection is traversed. As claims 2 – 4 are dependent claims of independent claim 1, their prior art rejection is traversed as well. Support for the amendments to claim 1 can be found, for example, on page 12, paragraph beginning on line 5; and on page 5, paragraph beginning on line 10. These amendments are made only in an attempt to restate the features of claim 1 in adequately clear language. Arguments in support thereof are provided.

It is respectfully submitted that the above amendments introduce no new matter within the meaning of 37 U.S.C. § 132.

Rejection under 35 U.S.C. § 103(a)

The Examiner rejected claims 1, 2, and 4 as being unpatentable over Okada or Luebke et al. in view of Baset, Tang et al., and Bodley-Scott et al.; and rejected claim 3 over Okada or Luebke et al. in

view of Baset, Tang et al., and Bodley-Scott et al., as applied to claim 1, and further in view of Huizenga and Cadman.

Response

Reconsideration and withdrawal of the rejection are respectfully requested.

To establish a *prima facie* case of obviousness, the Examiner must establish: (1) that some suggestion or motivation to modify the references exists; (2) a reasonable expectation of success; and (3) that the prior art references teach or suggest all the claim limitations. Amgen, Inc. v. Chugai Pharm. Co., 18 USPQ2d 1016, 1023 (Fed. Cir. 1991); In re Fine, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988); In re Wilson, 165 USPQ 494, 496 (C.C.P.A. 1970).

It is respectfully submitted that the combination of references fails to teach or suggest all the claim limitations as amended.

Specifically, Claim 1 recites, *inter alia*, a controller that activates a display that indicates for a predetermined time that the door handle is in a locking-confirmable mode and that, while the display is active, prevents the door handle from unlocking the door.

Okada teaches a smart-entry system, wherein a remote controller transmits a door locking or unlocking signal to a receiver in a vehicle, which locks or unlocks the vehicle door without a key. (See summary in the current application's specification, page 1, beginning on line 18). Luebke teaches a different smart-entry system, in which a command signal from a remote controller activates a control circuit to begin sensing for an action by the driver, such as operation of a door handle. Upon sensing that action within a given period after receipt of the command signal, the doors of the vehicle are unlocked. (See abstract in Luebke). Neither Okada nor Luebke teach a smart-entry system in which a

display indicator indicates for a predetermined time that the door handle is in a locking-confirmable mode. (Claim 1)

The Examiner states that Baset, Tang, and Bodley-Scott cure the deficiencies of Okada and Luebke et al., as they disclose the use of LEDs to inform a vehicle operator of completion of a requested operation and/or the current status of the system. Baset teaches a method to confirm that a vehicle is in a locked state, in which a remote controller is used to lock a vehicle, and a display on the controller is activated when the vehicle receives two sequential presses of the lock button. Tang teaches a system for providing confirmation of remote entry system operation, in which a remote controller communicates with a vehicle and then uses a display to inform the operator if the vehicle is locked. Bodley-Scott teaches a vehicle door locking system with an electronic controller, in which an LED, connected to the controller, signals whether the vehicle is locked or unlocked.

Thus, Baset, Tang, and Bodley-Scott all disclose indicators of the status of the system's *door locks,* but do not disclose indicators of a locking-confirmable mode. (See claim 1) The LED of Baset is provided for notifying the user that the door was recently locked (col. 1, lines 57-59); the indicator of Tang provides "an indication that a door is locked or unlocked, that the vehicle trunk is open or closed, or that an automatic vehicle door is open or closed" (col. 5, lines 43-47); the LED of Bodley-Scott is a "lock-status indicator." (col. 7, line 59). These three references, individually or together, do not disclose, teach, or suggest a display that indicates for a predetermined time that the door handle is in a locking-confirmable mode, activated by a controller that concurrently prevents the door handle from unlocking the door, as recited in Claim 1 and described below.

In a smart entry system such as that presently disclosed, the use of the door handle will at most times unlock the door (see in the specification page 1, paragraph beginning on line 26). However, for a period of time immediately after locking the door, the operator can safely pull the door handle to confirm that the door is locked, without the door becoming unlocked through the use of the handle (see in the specification page 2, paragraph beginning on line 20). In the present invention, an indicator would alert the user of the operating status of the system that controls the handle, and not of the status of the door lock itself (see in the specification page 12, paragraph beginning on line 5). Thus, the indicator makes a user aware of those periods during which the controller prevents the door handle from unlocking the door, as recited in claim 1 of the present invention. Such an indicator serves a different purpose than a lock-status indicator, and is not disclosed, suggested, or taught in the prior art cited by the Examiner.

Next, the Examiner states that the combination of the five references does not teach the features of claim 3, and cites Huizenga and Cadman to overcome the deficiencies of the other references. Both Huizenga and Cadman disclose the use of indicator lights in the door handle. However, neither teaches the use of an indicator, placed in the door handle, which makes a user aware of those periods during which the controller prevents the door handle from unlocking the door, as recited in claim 1 of the present invention.

Hence, even if Okada or Luebke et al. can be combined with other references, the feature of the controller as recited in claim 1 of the present invention is not disclosed in any of the references.

Thus, as apparent from the foregoing, the cited references taken alone or in combination fail to teach or suggest all the limitations of claim 1 of the present invention.

It is therefore respectfully submitted that the rejection of independent claim 1 under 35 U.S.C. § 103(a) should be withdrawn.

Further, as dependent claims contain all of the features of the independent claims from which they depend and for the reasons stated with respect to claim 1, Applicant submits that dependent claims 2-4 are patentable over the cited prior art for at least the same reasons as independent claim 1.

CONCLUSION

In light of the foregoing, Applicants submit that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicants respectfully request that the Examiner contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112. Favorable action with an early allowance of the claims is earnestly solicited.

Respectfully submitted,

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